

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

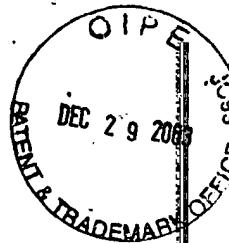
Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**



Patent  
Attorney Docket No. 032722-571

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Reissue Patent Application of )  
U.S. Patent No. 4,984,972 ) MAIL STOP - MSP  
Inventor: Earl W. CLAUSEN et al. )  
Issue: January 15, 1991 )  
For: CENTRIFUGAL BLOOD PUMP )

**DECLARATION UNDER 37 C.F.R. § 1.175**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Mark A. Sutter, a U.S. citizen, having a residence and mailing address at Dexter, Michigan, hereby declare that, as the President and CEO of Terumo Cardiovascular Systems Corporation ("Terumo"), the assignee of United States Letters Patent No. 4,984,972, I am authorized to act on behalf of Terumo which owns the entire title to U.S. Patent No. 4,984,972.

I believe Earl W. Clausen and Lloyd C. Hubbard to be the original, first and joint inventors of the subject matter which is described and claimed in U.S. Letters Patent No. 4,984,972, entitled "Centrifugal Blood Pump".

It is believed that U.S. Letters Patent No. 4,984,972 may be at least partly inoperative or invalid for the reason that it claims more than there was a right to claim.

That error is characterized by the fact that at least claims 1, 19 and 38 may be invalid over the disclosure of Laing U.S. Patent No. 3,771,910 granted on November 13, 1973 and of record in U.S. Letters Patent 4,984,972.

That error arose without any deceptive intention.

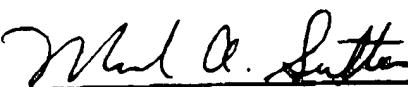
In view of the foregoing, U.S. Patent No. 4,984,972 should be reissued with the claims now presented or with claims commensurate in scope therewith.

U.S. Patent N. 4,984,972  
Attorney Docket No. 032722-571  
Page 2

WHEREFORE, the undersigned representative of the assignee requests a reissue patent as herein sought for the purpose of adequately, clearly and fully protecting the disclosed invention to which the arrangement is entitled.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date 12/18/2003

  
\_\_\_\_\_  
Mark A. Sutter  
President & CEO  
Terumo Cardiovascular Systems Corporation

## SUPPLEMENTAL REISSUE DECLARATION -- REFERS TO PATENT NO. & NAME OF PATENTEE(S)

PTO/SB/52 (02-01)

Approved for use through 01/31/2004. OMB 0651-0033  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REISSUE APPLICATION DECLARATION BY THE ASSIGNEE		Docket Number (optional)
<p>I hereby declare that:</p> <p>My residence and mailing address and citizenship are stated below next to my name.</p> <p>I am authorized to act on behalf of the following assignee: _____</p> <p>and the title of my position with said assignee is: _____</p> <p>The entire title to the patent identified below is vested in said assignee.</p>		
Name of Patentee(s): _____		
Patent Number	Date of Patent Issued	
Title of Invention		
<p>I believe said patentee(s) to be the original, first and sole/joint inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled _____</p> <p>the specification of which</p> <p><input type="checkbox"/> is attached hereto.</p> <p><input type="checkbox"/> was filed on _____ as reissue application number _____ / _____ and was amended on _____ (If applicable)</p>		
<p>I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.</p> <p>I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.</p> <p>I verify believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)</p> <p><input type="checkbox"/> by reason of a defective specification or drawing.</p> <p><input type="checkbox"/> by reason of the patentee claiming more or less than he had the right to claim in the patent.</p> <p><input type="checkbox"/> by reason of other errors.</p>		
<p>At least one error upon which reissue is based is described as follows:</p> <p>[Attach additional sheets, if needed.]</p> <p>All errors correct d in this reissue application arose without any deceptive intention on the part of the applicant.</p>		

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.